

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 16, 2009**

Said date a Holiday.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 17, 2009**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P. J., Rylaarsdam, J. and Ikola, J. Toni Cajigal deputy clerk attending.

G041322     THE PEOPLE  
              v.  
              LUIS A. BOLANOS

Merits. Cause called. Michael Murphy, Deputy Attorney General argued for appellant, the People. Patricia Ulibarri argued for respondent. Cause submitted.

G041240     JEFFREY BROKER et al.  
              v.  
              SUPERIOR COURT; MICHAEL KOGAN et al.

Merits. Cause called. Kenneth J. Catanzarite argued for petitioners. Steven L. Hogan argued for real parties in interest. Cause submitted.

G040712     DANIEL HILLMAN  
              v.  
              ROSEMARY R. HILLMAN

Merits. Cause called. Jeffrey W. Doeringer argued for appellant. Terrence W. Roberts argued for respondent. Cause submitted.

G039852     THE PEOPLE  
              v.  
              KELLY M. CULVER

Merits. Cause called. Lauren Eskenzai argued for appellant. Michael Murphy, Deputy Attorney General argued for respondent. Cause submitted.

G040763     GERALD FISHER  
              v.  
              BATIA FISHER

Merits. Cause called. Gale P. Hickman argued for appellant. Gary S. Gorzyca argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 17, 2009 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Bedsworth, Acting P. J., O'Leary, J. and Fybel, J. Toni Cajigal deputy clerk attending.

G039873      CERADYNE, INC.  
                 v.  
                 AGRONAUT INSURANCE COMPANY

Merits. Cause called. James C. Nielson argued for appellant. Michael L. Phillips argued for respondent. Submission deferred to allow additional letter brief. The parties were ordered to file letter briefs by February 27, 2009.

G040004      THE PEOPLE  
                 v.  
                 HEATHER GILLON

Merits. Cause called. Jean Ballantine argued for appellant. Carrie Stingham, certified law student argued for the respondent and Scott C. Taylor designated as the supervising Deputy Attorney General. Cause submitted.

G039860      THE PEOPLE  
                 v.  
                 VICTOR J. LAGUNAS

Merits. Cause called. Siri Shetty argued for appellant. Arnand R. Updahye, Certified Law Student for respondent and Scott C. Taylor designated as the supervising Deputy Attorney General. Cause submitted.

G039946      THE PEOPLE  
                 v.  
                 ROBERTO CONTRERAS

Merits. Cause called. Renee Rich argued for appellant. Stephan R. Shera certified law student argued for respondent and Marissa Bejarano designated as the supervising Deputy Attorney General. Submission deferred for the court to consider additional briefing.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 17, 2009 (cont'd)**

G040239     THE PEOPLE  
              &        v.  
G040746     SERGIO NAVARRO

Merits. Cause called. Wendy C. Arenson argued for appellant. Marissa Bejarano, Deputy Attorney General argued for respondent. Cause submitted.

G041316     THE PEOPLE  
              v.  
              WILLIAM M. PEARL

Merits. Cause called. Patricia L. Brisbois argued for appellant. Kristen Chenelia, Deputy Attorney General argued for respondent. Cause submitted.

Court declared a recess.

G038601      MESA WEST, INC.  
v.  
NATHAN D. LaMOURE et al.

SILLS, P. J.

O'LEARY, J.

MOORE, J.

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**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P. J., Bedsworth, J. and Fybel, J. Toni Cajigal deputy clerk attending.

G040737     MARIA AGUILAR  
                 v.  
                 HONOLULU HOTEL OPERATING CORPORATION

Merits. Cause called. Gary S. Bennett argued for appellant. Daniel J. Kolcz argued for respondent. Cause submitted.

G040589     SHARI MCMAHAN  
                 v.  
                 LINDA PARRISH

Merits. Cause called. Hugh T. Verano, Jr. argued for appellant. Gerald N. Shelley argued for respondent. Submission is deferred to allow possible additional briefing.

G039833     KARI PHILLIPS  
                 v.  
                 THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Merits. Cause called. Lee W. Harwell, Jr. argued for appellant. Lillie Hsu argued for respondent. Cause submitted.

G039830     CARMINE SCOTCH  
                 v.  
                 THE ART INSTITUTE OF CALIFORNIA,  
                 ORANGE COUNTY

Merits. Cause called. David F. Tibor argued for appellant. Judy M. Iriye argued for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

G040338     JOSE GOMEZ et al.  
              v.  
              LINCARE, INC.

Merits. Cause called. David R. Greifinger argued for appellants. Susan B. Burr argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P. J., Aronson, J. and Ikola, J. Toni Cajigal deputy clerk attending.

G040873     RICK MARTIN  
              v.  
              JOSEPH AVIGDOR et al.

Merits. Cause called. Jeffrey Lewis argued for appellants. Daniel Rasmussen argued for respondent. Cause submitted.

G039927     JAMES MULLEN et al.  
              v.  
              STEVE RICE

Merits. Cause called. Christopher L. Pitet argued for appellants. No appearance by respondent. Cause submitted.

G039967     FARAHMARZ ABOLFATHI  
              v.  
              NAJILA BRENT

Merits. Cause called. Robert B. Parsons argued for appellant. Fred S. Pardes argued for respondent. Cause submitted.

G039877     KENNETH MELTON  
              v.  
              FIRST WESTERN CORPORATION et al.

Merits. Cause called. Betty M. Shumener argued for appellant. Steven L. Bergh argued for respondents. Cause submitted.

G040044     KENNETH MELTON  
              v.  
              LARRY BALLARD et al.

Merits. Cause called. Betty M. Shumener argued for appellant. Richard S. Ruben argued for respondents. Cause submitted.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

G041034     ALAN T.S.  
              &         v.  
G040870     SUPERIOR COURT; MARY T.

Merits. Cause called court ordered both matters to be argued together. Petitioner Alan T.S. argued in propria persona. Craig A. Darling argued for real party in interest. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

G038470      ROSALINDA ENRIQUEZ      Not for publication  
    &      v.  
G038887      GREENPOINT MORTGAGE FUNDING,  
            INC., et al.

Opinion filed. The judgment and order are reversed.

ARONSON, J.

We concur:    MOORE, ACTING P. J.  
                    IKOLA, J.

G038601      MESA WEST, INC.      Not for publication  
            v.  
            NATHAN D. LAMOURE et al.

Opinion filed. The judgment is affirmed.

O'LEARY, J.

We concur:    SILLS, P. J.  
                    IKOLA, J.

G039337      THE PEOPLE      Not for publication  
            v.  
            GABINO R. MENDOZA

Opinion filed. The judgment is affirmed.

IKOLA, J.

We concur:    BEDSWORTH, ACTING P. J.  
                    MOORE, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

G039425      LILLY CHESEBOROUGH,                      Not for publication  
                 as Trustee, etc.  
                 v.  
                 JAMES J. JOSEPH, as Trustee, etc.

Opinion filed. The judgment is affirmed.

IKOLA, J.

We concur:    MOORE, ACTING P. J.  
                 ARONSON, J.

G039478      THE PEOPLE                                      Not for publication  
                 v.  
                 JOSE J. GODOY

Opinion filed. The judgment is affirmed.

IKOLA, J.

We concur:    RYLAARSDAM, ACTING P. J.  
                 ARONSON, J.

G039522      THE PEOPLE  
                 v.  
                 JOSE A. DIAZ

Order filed. Order modifying opinion and denying petition for rehearing; no change in judgment.

IKOLA, J.

We concur:    BEDSWORTH, ACTING P. J.  
                 ARONSON, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

G039555 MICHAEL W. KELLER et al.  
& v.  
G040244 IRVINE COMPANY DEVELOPMENT  
COMPANY LLC et al.

Order filed. Case number G039555 is ordered consolidated with case number G040244 for the purpose of decision.

RYLAARSDAM, ACTING P. J.

G039555	MICHAEL W. KELLER et al.	Not for publication
&	v.	
G040244	IRVINE COMPANY DEVELOPMENT COMPANY LLC et al.	

Opinion filed. The judgment and postjudgment order are reversed and remanded.

FYBEL, J.

We concur: RYLAARSDAM, ACTING P. J.  
ARONSON, J.

G040033 PATRICK CROSBY Not for publication  
v.  
SOUTH ORANGE COUNTY  
COMMUNITY COLLEGE DISTRICT

Opinion filed. The judgment is affirmed.

ARONSON, J.

We concur: RYLAARSDAM, ACTING P. J.  
O’LEARY, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 18, 2009 (cont'd)**

G040135      THE PEOPLE  
                 v.  
                 ROBERT J. LEEK

Not for publication

Opinion filed. The order is affirmed and modified.

RYLAARSDAM, ACTING P. J.

We concur: ARONSON, J.  
                 IKOLA, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 19, 2009**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Moore, Acting P. J., Aronson, J. and Fybel, J. Shahira Naqshbandy deputy clerk attending.

G039554     THE PEOPLE  
              &        v.  
G040787     IGNACIO HEREDIA

Merits. Cause called. Sachi Wilson argued for appellant. Andrew Mestman argued for respondent. Cause submitted.

G041321     THE PEOPLE  
              v.  
              HAROLD L. YERGENSON

Merits. Cause called. John L. Staley argued for appellant. Alan Tate argued for people. Christopher Beesley argued for respondent. Cause submitted.

G039602     KENNETH GHARIB  
              v.  
              NOVASTAR MORTGAGE, INC.

Merits. Cause called. Michael P. Bryant argued for appellant. Bruce J. Quilligan argued for respondent. Cause submitted.

G040323     JEFFREY JOYNER  
              v.  
              JERRY LAZZARESCHI

Merits. Cause called. Lenore L. Albert argued for appellant. K. Michele Williams argued for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 19, 2009 (cont'd)**

G040066 THEE AGUILA, INC. ET AL.

v.

STAVROS TSEHERIDIS

Merits. Cause called. Richard I. Rydstrom argued for appellant. Cynthia M. Puertas argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 19, 2009 (cont'd)**

Court reconvened at 1:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P. J., Rylaarsdam, J. and O'Leary, J. Toni Cajigal deputy clerk attending.

G040362     THE PEOPLE  
              v.  
              JOSEPH GARCIA

Merits. Cause called. Sarah A. Stockwell argued for appellant. Vincent La Pieta, Deputy Attorney General argued for respondent. Cause submitted.

G039918     THE PEOPLE  
              v.  
              JUAN CRUZ

Merits. Cause called. Allison H. Ting argued for appellant. Sabrina Lane-Erwin, Deputy Attorney General argued for respondent. Cause submitted.

G039850     TEM MULLENAX et al.  
              v.  
              DOUGLAS MAHAFFEY et al.

Merits. Cause called. James J. Regan argued for appellants. Douglas Mahaffey argued for respondents. Cause submitted.

G039127     REBECCA PRICE  
              v.  
              JOAN LEHMAN et al.

Merits. Cause called. Thomas N. Jacobson argued for appellants. Respondent Rebecca Price argued in propria persona. Cause submitted.

Court declared a recess.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 19, 2009 (cont'd)**

G039810      THE PEOPLE      Not for publication  
                 v.  
                 QUENTIN T. VERNON

Opinion filed. The judgment is affirmed.

MOORE, J.

We concur: O'LEARY, ACTING P. J.  
                 FYBEL, J.

G039946      THE PEOPLE  
                 v.  
                 ROBERT CONTRERAS

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040302      THE PEOPLE  
                 v.  
                 ANDY FLORES

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040334      HETTIE S. ALLEN      Not for publication  
                 v.  
                 LEE ALLEN

Opinion filed. The judgment is affirmed.

BEDSWORTH, J.

We concur: RYLAARSDAM, ACTING P. J.  
                 FYBEL, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 19, 2009 (cont'd)**

G040629      ORANGE COUNTY SOCIAL      Not for publication  
SERVICES AGENCY  
v.  
JUANITA D.

Opinion filed. The orders are affirmed.

MOORE, J.

We concur: O'LEARY, ACTING P. J.  
FYBEL, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 20, 2009**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P. J., Moore, J., Aronson, J. and Ikola, J. Denise Massey deputy clerk attending.

G040745     LEE STROTHER et al.  
              v.  
              CALIFORNIA COASTAL COMMISSION et al.

Merits. Cause called. Ronald C. Redcay argued for appellants. Christina Bull Arndt argued for respondent, California Coastal Commission. John J. Flynn argued for respondents, Ernest Alvarez et al. Cause submitted.

G038352     MARY E. GLADSTONE  
              v.  
              PAUL R. VIRGA

Merits. Cause called. Julie A. Duncan argued for appellant. Marjorie G. Fuller argued for respondent. Cause submitted.

G040038     EL CENTRO MALL, LLC.,  
              v.  
              PAYLESS SHOESOURCE, INC.

Merits. Cause called. Michael F. Moon argued for appellant. Neal P. Panish argued for respondent. Cause submitted.

G039916     CHRISTOS CATSOURAS et al.  
              &  
G040330     v.  
              AARON REICH et al.

Merits. Cause called. Everett L. Skillman argued for appellant. Jon R. Schlueter argued for respondent, Aaron Reich. Elizabeth S. Angres argued for State of California Highway Patrol. Alex Wheeler argued for Thomas O'Donnell. Submission is deferred to allow possible additional briefing. The parties were ordered to file letter briefs by February 27, 2009.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 20, 2009 (cont'd)**

G040513      CITY OF IRVINE  
                 v.  
                 SOUTHERN CALIF. ASSOC. OF GOVERNMENTS

Merits. Cause called. William H. Ihrke argued for appellant. Colin Lennard argued for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 20, 2009 (cont'd)**

G039339     THE PEOPLE  
              v.  
              STEVEN R. SHEA

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G039799     THE PEOPLE  
              v.  
              ANGEL V. VALLADARES

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G039967     THE PEOPLE  
              v.  
              GUY S. ADAMS

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040047     COUNTY OF ORANGE  
              v.  
              INDIANA LUMBERMENS MUTUAL  
              INSURANCE COMPANY

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040168     THE PEOPLE  
              v.  
              SPENCER W. FOX

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 20, 2009 (cont'd)**

G040178     THE PEOPLE  
              v.  
              HILARIO C. GOMEZ

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040196     THE PEOPLE  
      &  
G040418     v.  
              DANIEL OLGUIN et al.

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040200     THE PEOPLE  
              v.  
              ROBERT L. CADOGAN

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040210     THE PEOPLE  
              v.  
              JONATHAN P. M. BARBER

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040249     THE PEOPLE  
              v.  
              DERRICK S.

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 20, 2009 (cont'd)**

G040411     DILIP VITHLANI et al.  
              v.  
              ARNOLD A. MCMAHON

Order filed. All parties having waived oral argument, the above entitled cause is hereby ordered submitted this date. Oral argument scheduled for February 23, 2009, at 1:00 p. m. is OFF CALENDAR.

SILLS, P. J.

G040428     JAMES S. PHELPS, as Trustee, etc.,  
              v.  
              ORANGE COUNTY ASSESSMENT  
              APPEALS BOARD et al.

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040547     THE PEOPLE  
              v.  
              JORGE L. PORTILLO

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

G040826     SADDLEBACK INVESTMENT  
              SERVICES, INC. et al.  
              v.  
              GUILLERMO ELSZY

Order filed. The above entitled cause is ordered submitted this date.

SILLS, P. J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
February 20, 2009 (cont'd)**

G041179     D.A. and J.L.  
              v.  
              SUPERIOR COURT; ORANGE COUNTY  
              SOCIAL SERVICES AGENCY et al.

Opinion filed. The petition and request stay are denied.

RYLAARSDAM, ACTING P. J.

We concur: ARONSON, J.  
              FYBEL, J.